

**BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA**

**DOCKET NO. 2008-454-C - Order No. 2008 - \_\_\_\_\_**

**March \_\_\_\_, 2009**

IN RE:	)	
	)	
Merus Refreshment Services, Inc.,	)	
	)	
Complainant,	)	
	)	<b>CONSENT ORDER OF DISMISSAL</b>
v.	)	<b>WITH PREJUDICE</b>
	)	
ITC^DeltaCom, Inc.	)	
	)	
Defendant.	)	
_____	)	

The parties in this docket, Merus Refreshment Services (“Merus”) and DeltaCom, Inc. hereby request dismissal of the Complaint because the issues presented in the Complaint have been resolved through a negotiated settlement between Merus and DeltaCom, and are therefore, moot.

Now, therefore, based upon the consent of all parties of record as reflected by the signatures of their duly authorized representatives set forth below,

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Complaint in the above-captioned matter is hereby dismissed with prejudice.

*Signature page follows*

AND IT IS SO ORDERED.

BY ORDER OF THE COMMISSION:

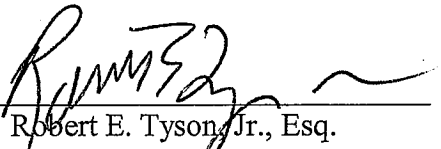
By: \_\_\_\_\_  
Elizabeth B. Fleming, Chairman  
Chairman

ATTEST:

\_\_\_\_\_  
John E. Howard  
Vice Chairman

(SEAL)

WE CONSENT:

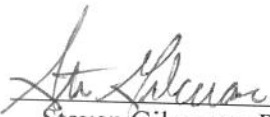
By:   
Robert E. Tyson, Jr., Esq.  
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(803) 929-1400

and

D. Anthony Mastando Jr., Esq.  
Vice President Regulatory  
DeltaCom, Inc.  
7037 Old Madison Pike, Suite 400  
Huntsville, Alabama 35806  
(256) 382-3856

Attorneys for DeltaCom, Inc.

WE CONSENT:

By:   
Steven Gilcrease, President  
Merus Refreshment Services  
108-A Park Place Ct.  
Greenville, SC 29607

Complainant